

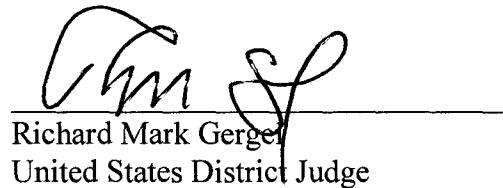
**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Frank Bush,)	
)	
Plaintiff,)	Civil Action No. 1:14-4917-RMG
)	
vs.)	
)	
Carolyn W. Colvin, Acting Commissioner of Social Security Administration,)	ORDER
)	
Defendant.)	
)	
)	

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff's application for Supplemental Security Income ("SSI"). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation ("R & R") on March 22, 2016, recommending that the decision of the Commissioner be reversed and remanded to the agency. (Dkt. No. 55). The Magistrate Judge's recommendation is based on the Administrative Law Judge's ("ALJ") failure to develop the record where the *pro se* Plaintiff "lacked the ability to substantiate his claim on his own and was denied a continuance to obtain legal counsel," and failure of the ALJ to include in Plaintiff's RFC assessment limitations based upon Plaintiff's documented mental and physical impairments. (*Id.* at 23-32). The Commissioner has filed a reply to the R & R indicating that she does not intend to file any objections to the recommendations of the Magistrate Judge. (Dkt. No. 59).

The Court has reviewed the R & R and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter and correctly concluded that the decision of the Commissioner should be reversed and remanded. Therefore, the Court **ADOPTS** the Report and Recommendation as the order of this Court (Dkt.. No. 55), **REVERSES** the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Judge

Charleston, South Carolina
March 28, 2016